

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
OCT 10 1996
JAMES R. LARSEN, CLERK
DEPUTY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

v.

ROBERT SHERMAN BERRY,
Defendant.

)
) Magistrate Judge
) No. 96-0380A-01

) ORDER OF TEMPORARY DETENTION
) PENDING HEARING PURSUANT TO
) BAIL REFORM ACT

At Defendant's October 9, 1996, initial appearance, Assistant U.S. Attorney Thomas O. Rice represented the United States; Defendant was present with Assistant Federal Defenders Jane Greek and Nancy Tenney.

Mr. Berry refused to sign an acknowledgment of notice of rights, following advisement of rights by the court. Mr. Berry stated that he would not **request** appointment of counsel, but he would accept the appointment of counsel, if the court so directed, at least on a temporary basis. Accordingly, Mr. Rodgers, of the Criminal Justice Act Panel, was appointed.

Upon the motions, including motion for continuance, of the United States;

IT IS ORDERED that a probable cause (preliminary examination) hearing and detention hearing are set for **October 15, 1996, at 9:30 a.m.**, before the undersigned, at Spokane, Washington. Pending this

ORDER OF TEMPORARY DETENTION PENDING
HEARING PURSUANT TO BAIL REFORM ACT - 1

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1 hearing, the Defendant shall be held in custody by the United States
2 Marshal and produced for the hearing.

3 **IT IS FURTHER ORDERED:**

4 1. Defendant shall be held in detention pending disposition
5 of the detention hearing or until further order of the court.

6 2. Defendant is committed to the custody of the United States
7 Marshal for confinement separate, to the extent practicable, from
8 persons awaiting or serving sentences or being held in custody
9 pending appeal.

10 3. Defendant shall be afforded reasonable opportunity for
11 private consultation with h* counsel.

12 4. The United States Probation Office shall prepare a
13 Pretrial Services Report prior to said hearing, and shall notify
14 defense counsel prior to interviewing Defendant.

15 DATED this 10th day of October, 1996

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18 CYNTHIA IMBROGNO
19 UNITED STATES MAGISTRATE JUDGE
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